



FOR REGISTRATION REGISTER OF DEEDS
Willie L. Covington
DURHAM COUNTY, NC
2009 NOV 03 04:01:53 PM
BK:6356 PG:801-803 FEE:\$17.00

INSTRUMENT # 2009039114

PREPARED BY AND MAIL TO
Bums, Day & Presnell, P. A.
P.O. Box 10867, Raleigh, NC 27605

NORTH CAROLINA
Wake
DURHAM COUNTY

**AMENDMENT TO AMENDED AND
RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
EMORYWOOD ORCHARDS SUBDIVISION
(To Reallocate Lots 101-106 and Lots 130-133)**

THIS AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EMORYWOOD ORCHARDS SUBDIVISION, made on this 2nd day of November, 2009 by **Accord Contractors & Developers, Inc.**, hereinafter referred to as the "Declarant;

WHEREAS, Declarant previously recorded a Declaration of Covenants, Conditions and Restrictions for Emorywood Orchards in Book 3673, Page 876, Durham County Registry hereinafter referred to as "Prior Declaration", as amended in the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Emorywood Orchards in Book 6049, Page 365, Durham County Registry, hereinafter referred to as the "Current Declaration"; and,

WHEREAS in Section 4.4, Declarant reserved the development right to amend the Declaration to reallocate Lots within the Property; and,

WHEREAS Declarant desires to amend the Current Declaration to reallocate Lots 101-106 and Lots 130-133, as shown on Plat Book 179, Pages 338, 341 and 344, inclusive, Durham County Registry to remove these Lots as Villa Lots;

NOW, THEREFORE, Declarant hereby declares that Lots 101-106 and Lots 130-133, as shown on Plat Book 179, Pages 338, 341 and 344, inclusive, Durham County Registry are removed as Villa Lots, reallocated as non-Villa Lots and are no longer subject to lawn

maintenance and additional dues for such lawn maintenance.

IN WITNESS WHEREOF, **Accord Contractors & Developers, Inc.**, has caused this instrument to be signed by its duly authorized officers, this day first above written.

Accord Contractors & Developers, Inc.

BY: *Mazouz Fakhouri*
Vice-President

State of North Carolina
County of Wake

I, Vicki I. Miller, Notary Public, certify that Mazouz Fakhouri
(official) personally came before me this day and acknowledged that he/she is V.P.
(title) of **Accord Contractors & Developers, Inc.**, a corporation, and that he/she, as
V.P. (title) being authorized to do so, executed the foregoing on behalf of the
corporation.

Witness my hand and official seal, this the 2nd day of November, 2009.

My commission expires: 2/3/12

Vicki I. Miller
Notary Public
Vicki I. Miller
Print Name

